



Entered on Docket
May 30, 2007

Hon. Linda B. Riegle
United States Bankruptcy Judge

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:
USA COMMERCIAL MORTGAGE COMPANY,
Debtor.

Case No. BK-S-06-10725 LBR
Case No. BK-S-06-10726 LBR
Case No. BK-S-06-10727 LBR
Case No. BK-S-06-10728 LBR
Case No. BK-S-06-10729 LBR

In re:
USA CAPITAL REALTY ADVISORS, LLC,
Debtor.

Chapter 11

In re:
USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC,
Debtor.

Jointly Administered Under
Case No. BK-S-06-10725 LBR

In re:
USA CAPITAL FIRST TRUST DEED FUND, LLC,
Debtor.

**SUPPLEMENTAL ORDER
SUSTAINING IN PART THE
OMNIBUS OBJECTION OF USA
SECURITIES, LLC TO CERTAIN
CLAIMS**

In re:
USA SECURITIES, LLC,
Debtor.

Date of Hearing: April 26, 2007
Time of Hearing: 9:30 a.m.

Affects:

- ☐ All Debtors
- ☐ USA Commercial Mortgage Company
- ☒ USA Securities, LLC
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA First Trust Deed Fund, LLC

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The Omnibus Objection of USA Securities, LLC to Certain Claims (the “Objection”) (Docket No. 3021) came before this Court on proper notice at the hearing held April 26, 2007, at 9:30 a.m. Steven C. Strong of Ray Quinney & Nebeker P.C. appeared on behalf of USA Securities, LLC, Eve Karasik of Stutman, Treister & Glatt, P.C. appeared on behalf of the Official Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC (the “FTDF Committee”), and other appearances were noted on the record.

On May 15, 2007, the Court entered an order sustaining in part the Objection (Docket No. 3732) (the “May 15th Order”). The four claims listed on Exhibit D of the Objection were inadvertently omitted from the May 15th Order. The Court, however, had sustained the objections to these four claims at the hearing in addition to the objections to the claims listed in the May 15th Order.

THE COURT, therefore, having considered the Objection and responses thereto, and having determined that good and sufficient cause exists for sustaining the Objection to the extent set forth below and in the May 15th Order, HEREBY ORDERS THAT:

1. All of the claims listed on Exhibit D to the Objection, as set forth in the following table, are disallowed in their entirety:

	<u>Claimant</u>	<u>Proof of Claim No.</u>	<u>Date Claim Filed</u>	<u>Proof of Claim Amount</u>
1	Falvai, Brenda 252 N Paseo De Juan Anaheim, CA 92807-2319	10729-00012	6/2/2006	50,933.34
2	Karen Petersen Tyndall Trust Dated 3/9/94 C/O Karen Petersen Tyndall Ttee 1012 Greystoke Acres St Las Vegas, NV 89145-8659	10729-00031	11/10/2006	1,115,915.59
3	KPT Irrevocable Trust Dated 7/16/99 C/O Karen Petersen Tyndall Ttee 1012 Greystoke Acres St Las Vegas, NV 89145-8659	10729-00032	11/10/2006	202,866.38
4	Quinn, Edward & Darlene 660 NW Brookhaven Dr Lee's Summit, MO 64081	10729-00020	7/12/2006	156,388.48

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2. The claims that are disallowed pursuant to this Supplemental Order are disallowed in their entirety and for all purposes as claims against USA Securities LLC and are not allowed as claims against USA Capital First Trust Deed Fund, LLC or against any of the other Debtors in these jointly-administered bankruptcy cases. The disallowance of the claims pursuant to this Supplemental Order is in addition to the disallowance of those claims subject to the May 15th Order.

Submitted by:
SCHWARTZER & MCPHERSON LAW FIRM
and RAY QUINNEY & NEBEKER P.C.

By: /s/ Lenard E. Schwartzer
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Approved by:
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By: /s/ Andrew Parlen
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*Counsel for the Official Committee of
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First Trust Deed Fund LLC*

Approved by:
OFFICE OF THE U.S. TRUSTEE

By: _____
AUGUST B. LANDIS, ESQ.
SCOTT A. FARROW, ESQ.

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2. The claims that are disallowed pursuant to this Supplemental Order are disallowed in their entirety and for all purposes as claims against USA Securities LLC and are not allowed as claims against USA Capital First Trust Deed Fund, LLC or against any of the other Debtors in these jointly-administered bankruptcy cases. The disallowance of the claims pursuant to this Supplemental Order is in addition to the disallowance of those claims subject to the May 15th Order.

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and RAY QUINNEY & NEBEKER P.C.

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